



**Australian Government**  
**Australian Quarantine and Inspection Service**

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Division of Dockets Management  
(HFA-305)  
Food and Drug Administration  
5630 Fishers Lane  
rm. 1061  
Rockville, MD 20852  
United States of America

**RE: Docket No. 2000P - 0586 - Food and Drug Administration**

**21 CFR Part 133 -- Cheese and Related Cheese Products; Proposal to Permit the Use of Ultrafiltered Milk**

The Australian Government welcomes the opportunity to provide comments on the United States of America (US) Government's Federal Register Docket No. 2000P - 0586, notice on a proposal to amend 21 CFR Part 133 - Cheese and Related Cheese Products; Proposal to Permit the Use of Ultrafiltered Milk.

The proposed changes will provide for the use of fluid ultrafiltered milk (UF) in the manufacture of standardised cheeses and related cheese products.

The Government of Australia welcomes the USFDA move to extend the definition of milk that can be used in the manufacture of standardised cheeses and related cheese products.

However, the Government of Australia believes that, to reflect the generality and non prescriptiveness of relevant Codex standards (Codex Stan A-6-1978, Rev 1-1999, Amended 2003; Codex General Standard for Cheese; Standards C for various types of cheeses; and also CAC/RCP 57-2004 Code of Hygienic Practice for Milk and Milk Products), both fluid and dried ultrafiltered and microfiltered milk should be allowed in the manufacture of standardised cheeses and related cheese products, provided that (1) the product ingredients/raw materials are correctly declared on the label; and (2) the final product characteristics (consistency - texture, colour, flavour) are consistent with relevant international standards and consumer's expectations. The Codex standards listed earlier do not prescribe which type of milk/milk products could be used in the manufacture of cheese and therefore do not exclude the use of ultrafiltered and microfiltered milk, fluid or dried.

The Government of Australia believes that consumers should make, and are capable of making, an informed decision based on correct and truthful ingredients labelling (and the US legislation already requires that).

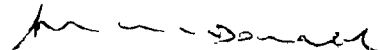
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Furthermore, the Government of Australia does not believe that governments should stifle innovation by regulating specific manufacturing processes (other than safety/hygiene systems) and therefore it should be up to the manufacturer to devise processes (and sequences of process steps) that will reflect raw materials that they use; as long as the final product characteristics (consistency - texture, colour, flavour) are consistent with the relevant international standard and consumers' expectations. Consequently we do not accept as relevant arguments against the use of microfiltered milk, fluid or dried, and some arguments in relation to dried ultrafiltered milk.

Because of the realities of trade in milk and milk products, the decision not to allow dried ultrafiltered and microfiltered products in the manufacture of standardised cheeses and related cheese products would favour domestically produced (fluid) products and hence would be against the spirit of WTO agreements.

Yours sincerely



Dr Ann McDonald  
General Manager  
Technical Standards Branch  
Exports and Animal Programs  
Australian Quarantine and Inspection Service  
Ph 61 2 6272 5254  
Fax 61 2 6271 6522  
E-mail [ann.mcdonald@daff.gov.au](mailto:ann.mcdonald@daff.gov.au)